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Attorneys for Defendant GOOGLE INC.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BLAKE A. FIELD,

Plaintiff,

vs.

GOOGLE INC.,

Defendant.

AND RELATED COUNTERCLAIMS

No.: CV-S-04-0413-RCJ-GWF

**DECLARATION OF ALEXANDER MACGILLIVRAY IN SUPPORT OF GOOGLE'S MOTION FOR SUMMARY JUDGMENT**

Snell & Wilmer L.L.P. LAW OFFICES

Dockets.Justia.com

Snell & Wilmer L.L.P. LAW OFFICES

I, Alexander Macgillivray, declare as follows:

1. I am an attorney at law duly licensed to practice in the State of California. I am litigation counsel at Google Inc. ("Google"), the defendant and counterclaimant in this action. One of my responsibilities is to oversee and coordinate Google's response to potential litigation threats. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. Google acts expeditiously to remove allegedly infringing material upon receipt of proper notice of infringement. In this case, for example, Plaintiff Field did not communicate his objection – through use of standard Internet procedures or otherwise – to Google prior to filing his Complaint. Google first learned that Plaintiff Field objected to Google providing links to its system cache of Field's Web pages when Google obtained a copy of Plaintiff's Complaint, which was prior to Plaintiff's service of the Complaint. Upon learning of Plaintiff's objection, Google promptly deleted the cached copies of Plaintiff's Web pages.

3. Prior to the present suit, Google had never been sued for providing "Cached" links in connection with its Web search function and Web site publishers found the industry standard procedures for opting out of Google's "Cached" links to be sufficient to address any concerns.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 23 2005, at Palo Alto, California.

Alexander Macgillivray

**CERTIFICATE OF MAILING**

I certify that a true and correct copy of the foregoing **DECLARATION OF ALEXANDER MACGILLIVRAY IN SUPPORT OF GOOGLE'S MOTION FOR SUMMARY JUDGMENT** was served this 27 day of September, 2005, by placing same in the United States mail, postage prepaid, addressed to the following:

Blake A. Field
9805 Double Rock Drive
Las Vegas, NV 89134
Telephone (702) 373-1022
Pro Se Plaintiff

Judith B. Warren
An employee of Snell & Wilmer, L.L.P.

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## CERTIFICATE OF MAILING

I certify that a true and correct copy of the foregoing DECLARATION OF ALEXANDER MACGILLIVRAY IN SUPPORT OF GOOGLE INC.'S MOTION FOR SUMMARY JUDGMENT was served this 3 day of November, 2005, by placing same in the United States mail, postage prepaid, addressed to the following:

Blake A. Field
9805 Double Rock Drive
Las Vegas, NV 89134
Telephone (702) 373-1022
Pro Se Plaintiff

Judith B. Warren
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